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SUBJECT: CFLCC/MOI SIGN BORDER MOU

REF: 03 KUWAIT 5314 AND PREVIOUS

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1. (SBU) Summary: On July 4, CFLCC and GOK Ministry of the Interior signed a memorandum of understanding that outlines the terms of use for the Coalition Crossing point on the Kuwait/Iraq border. This agreement entrusts the U.S. military with significant responsibility for control of one of the most heavily-used border crossings in Kuwait. Next steps include convening the bilateral working group created by the MOU to ensure its orderly implementation. End summary.

2. (SBU) On July 4, following 18 months of intermittent negotiations, Coalition Forces Land Components Command (CFLCC) and the GOK Ministry of the Interior signed a memorandum of understanding (text faxed to NEA/ARPI) regarding cooperation at the Coalition forces border crossing between Kuwait and Iraq. The agreement acknowledges "the trust placed in the United States by Kuwait for day-to-day management of the Coalition Forces Crossing." This crossing point is the main artery used by Coalition troops and convoys in support of Operation Iraqi Freedom (OIF). The U.S. military has manned the crossing since the beginning of OIF under informal, ad hoc arrangements with Kuwaiti Customs and the Ministry of Interior.

3. (SBU) Notwithstanding these agreements, on four separate occasions the border crossing was closed with little or no warning due to misunderstandings or lack of coordination, resulting in serious disruptions in OIF traffic. The MOU acknowledges significant U.S. military responsibilities for convoy inspections and contractor identification issues. The agreement will facilitate border traffic and it establishes a mechanism for conflict resolution that is designed to preclude arbitrary border closings in the future. Next steps include convening the bilateral working group created by the MOU to ensure its orderly implementation.

4. (U) Americas Department Director Ambassador Khalid Al-Babtain hosted the signing ceremony at the Ministry of Foreign Affairs. Local press attended the event and followed with prominent newspaper coverage. The Kuwait side was represented by Ibrahim Al-Ghanim, Director of Customs, Ministry of Finance; LTG Nasser Al-Othman, Undersecretary, Ministry of the Interior (MOI); BG Abdullah Al-Muhanna, Director of the Border Department, MOI; and COL Ratib Al-Anzi, of the Security Committee of the National Assembly, among others. The U.S. side consisted of BG William Johnson, Director, CFLCC Movement and Distribution; and U.S. Embassy personnel including U.S. Customs Advisor, Econ/C and EconOff. Brigadier General Johnson signed on behalf of the CFLCC and Undersecretary Lieutenant General Nasser Ahmed Al-Othman, MOI, signed on behalf of the GOK.

5. (SBU) Following the signing ceremony, the two sides agreed to an early meeting of the bilateral working group created by the MOU. Per the MOU, and in order to reduce the impact of OIF re-supply operations on Kuwait's civilian traffic, the U.S. military will move the Coalition Crossing Point to a location away from Al-Abdaly, the main commercial border crossing between Kuwait and Iraq at present. Plans call for Kuwait Immigration, Customs and Border Security to have a presence at the new Coalition Crossing Point (provisionally called "K Crossing") to the west of Al-Abdaly. Details for that new crossing and proposals for an identity card system for U.S. military contractors and employees will be on the agenda for the first bilateral working group meeting. LTG Al-Othman proposed that that meeting take place within the next week or two and volunteered to arrange for it in consultation with Embassy and CFLCC. BG Johnson seconded the call for swift action, noting that the road to K Crossing on the Iraqi side of the border could be finished within the next six months. Ideally, he said, the crossing point should be ready for operation as soon as the road is completed.

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